

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*

Debtors.¹

PROMESA Title III

Case No. 17-BK-3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE PUERTO RICO PUBLIC BUILDINGS
AUTHORITY,

Debtor.

PROMESA Title III

Case No. 19-BK-5523-LTS

(Jointly Administered)

Re: ECF No. 62, 66

**This Motion relates only
to PBA, and shall be filed in
Case No. 17-BK-3283-LTS and
Case No. 19-BK-5523-LTS**

**CERTIFICATE OF NO OBJECTION REGARDING CONSENSUAL MOTION OF THE
COMMONWEALTH OF PUERTO RICO AND THE PUERTO RICO PUBLIC
BUILDINGS AUTHORITY FOR AN ORDER AUTHORIZING THE REJECTION OF
UNEXPIRED LEASE**

On March 31, 2020, the Commonwealth of Puerto Rico (the “Commonwealth”) and the Puerto Rico Public Buildings Authority (the “PBA”), as Title III Debtors, by and through the

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), filed the *Consensual Motion of the Commonwealth of Puerto Rico and the Puerto Rico Public Buildings Authority for an Order Authorizing the Rejection of Unexpired Lease* [**Case No. 17-03283-LTS, ECF No. 12572, Case No. 19-5523, ECF No. 62**] (the “Motion”).

On April 7, 2020, the Commonwealth and PBA, by and through the Oversight Board, filed the *Notice of Submission of Revised Proposed Order Authorizing Consensual Motion of the Commonwealth of Puerto Rico and the Puerto Rico Public Buildings Authority for an Order Authorizing the Rejection of Unexpired Lease*, attaching thereto as Exhibit A revised proposed order (the “Revised Proposed Order”) to the Motion.

Responses to the Motion were to be filed and served no later than April 7, 2020 at 4:00 p.m. (Atlantic Time) (the “Objection Deadline”). According to this Court’s *Eleventh Amended Notice, Case Management and Administrative Procedures* [Case No. 17-03283-LTS, ECF No. 11885-1] (the “Case Management Procedures”), the Court may enter an order granting a request for relief without a hearing upon receipt of a certificate of no objection (“CNO”, as defined by the Case Management Procedures). *See* Case Management Procedures, Section III, paragraph P.

In accordance with the Case Management Procedures, the undersigned hereby certifies that this CNO is filed not less than forty-eight (48) hours after the expiration of the Objection Deadline. The undersigned further certifies that counsel for the Oversight Board has reviewed the Court’s docket in the above-captioned case not less than forty-eight (48) hours after expiration of the Objection Deadline, and, to the best of counsel’s knowledge, no applicable objection, responsive pleading, or request for a hearing with respect to the Objection appears on the docket.

WHEREFORE the Oversight Board respectfully requests that the Court enter the Revised Proposed Order attached hereto as **Exhibit 1**.

Dated: April 13, 2020
San Juan, Puerto Rico

Respectfully submitted,

/s/ Brian S. Rosen

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Debtors*

Exhibit 1

Revised Proposed Order

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

<div>In re:</div> <div>THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,</div> <div>as representative of</div> <div>THE COMMONWEALTH OF PUERTO RICO, <i>et al.</i></div> <div>Debtors.¹</div>	<div>PROMESA Title III</div> <div>Case No. 17-BK-3283-LTS</div> <div>(Jointly Administered)</div>
<div>In re:</div> <div>THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,</div> <div>as representative of</div> <div>THE PUERTO RICO PUBLIC BUILDINGS AUTHORITY,</div> <div>Debtor.</div>	<div>PROMESA Title III</div> <div>Case No. 19-BK-5523-LTS</div> <div>(Jointly Administered)</div> <div>This Motion relates only to PBA, and shall be filed in Case No. 17-BK-3283-LTS and Case No. 19-BK-5523-LTS</div>

ORDER AUTHORIZING THE REJECTION OF UNEXPIRED LEASE

Upon the consensual motion of the Commonwealth of Puerto Rico and the Puerto Rico Public Buildings Authority, by and through the Financial Oversight and Management Board for Puerto Rico, pursuant to Bankruptcy Code section 365(a), for Entry of an Order Authorizing the

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Rejection of Unexpired Lease, dated March 31, 2020 (the “Motion”);² and the Court having found it has subject matter jurisdiction over this matter pursuant to PROMESA Section 306(a); and it appearing that venue is proper pursuant to PROMESA Section 307(a); and the Court having found that the relief requested in the Motion is a proper exercise of the Commonwealth’s business judgment, it is HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein.
2. The DOJ Lease shall be rejected effective as of the date of March 31, 2020.
3. The terms and conditions of the Order shall be immediately effective and enforceable upon its entry.
4. Notwithstanding anything contained in the Motion or this Order to the contrary, including, without limitation, the relief granted herein, nothing contained herein is intended, nor shall it be construed, to affect (i) the Court’s *Order Resolving the Motion of the PBA Funds for the Payment of Rent* (Docket Entry No. 2716 in Case No. 17-3283) or (ii) whether or not the DOJ Lease or any other agreement between the Commonwealth and the PBA is an unexpired lease of nonresidential real property within the meaning of Bankruptcy Code section 365(d).
5. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

SO ORDERED.

Dated: _____, 2020
San Juan, Puerto Rico

LAURA TAYLOR SWAIN
United States District Judge

² All capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Motion.